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OFFICE OF ATTORNEY-GENERAL

September 1, 1954

Richard C. Duncan, Esq.,  
Assistant Attorney General

Attorney General

Winfield L. Foss, Industrial Director,  
Planning and Development Commission

Dear Mr. Foss:

You have inquired as to whether the Planning and Development Commission may cooperate with the Suncook Charitable Foundation in the development of certain land in Hooksett for an industrial site. It is my understanding that the Commission would assist the Foundation during the initial stages of development and would conduct, or cause to be conducted, various types of surveys.

It is my opinion that the Commission may lawfully do this and expend such money as the Commission deems necessary for this purpose so long as appropriated funds for this type of service are available. R.L. c. 27 s. 4 prescribes that the Commission shall, among other duties, encourage development of industry and in general seek to conserve and promote the general welfare. The Commission is given by said section the further authority to cooperate with any persons or organizations interested in these purposes. Cooperation with the Suncook Charitable Foundation to develop an industrial site in Hooksett and to expend money for engineering surveys of the site and area appears to be within the above mentioned authorized functions of the Commission.

This opinion is predicated upon my understanding that the Foundation is a non-profit organization devoted to the promotion of the general welfare of the public and the industrial potential of the State, and that a profit will not inure to any individual from the development and sale of this land.

Very truly yours,

Richard C. Duncan  
Assistant Attorney General

RCD:RP

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